

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RODNEY MALANE HAYES,

Plaintiff,

v.

CHRISTOPHER ALLGOOD, C.O.,

Defendant.

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Civil No. 3:07-0130  
Judge Trauger  
Magistrate Judge Bryant

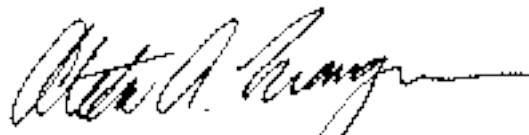
**ORDER**

On December 11, 2007, the Magistrate Judge issued a Report and Recommendation. (Docket No. 14) No timely objections have been filed, and the parties have been given the opportunity to submit additional materials pursuant to this court's Order of January 18, 2008 (Docket No. 17). The defendant requests that the court consider additional materials, if necessary (Docket No. 19); the plaintiff has not filed additional materials.

The Report and Recommendation is **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that defendant Allgood's Motion to Dismiss (Docket No. 6) is **GRANTED** and the plaintiff's "Motion to Proceed or Stay" (Docket No. 11) is **DENIED**. This case is **DISMISSED WITHOUT PREJUDICE**.

It is so **ORDERED**.

Enter this 13<sup>th</sup> day of February 2008.



ALETA A. TRAUGER  
United States District Judge